GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TRIBAL WELFARE DEPARTMENT – LTR – Revision Petition filed by Sri Sana Satyanarayana, S/o.Suryarao, R/o.Addateegala (V&M), East Godavari District against the orders of the Additional Agent to Government, Rampachodavaram, East Godavari District in C.M.A.No.08/2012 dt.09.03.2018 for the land measuring Ac.0.03 Cts in Sy.No.56,17 of Addateegala (V&M), East Godavari - Allowed in part - Orders – issued.

SOCIAL WELFARE (TW.LTR) DEPARTMENT

G.O.MS.No. 43 **Dated: 08-07-2020**

Read the following:-

1. Revision Petition filed by Sri Sana Satyanarayana, S/o.Suryarao, R/o.Addateegala (V&M), East Godavari District dt.16.08.2018.
2. Govt.Lr.No.15026/35/TW.LTR-2/2018, dt. 11.09.2018, 27.09.2019.

ORDER:

In the reference 1st read above, Sri Sana Satyanarayana, S/o. Suryarao, R/o. Addateegala (V&M), East Godavari District has filed Revision Petition before the Government against the orders of the Additional Agent to Government, Rampachodavaram, East Godavari District in C.M.A.No.08/2012 dt.09.03.2018 for the land measuring Ac.0.03 Cts in Sy.No.56,17 of Addateegala (V&M), East Godavari District.

2. In the reference 2nd read above, the petitioner was called for the hearing along with the written arguments and record. The case has been heard on 06.10.2018 and finally heard on 19.10.2019. During the course of hearing of the case that the revision petitioner submitted his arguments as per grounds in revision petition and on verification of documents and the grounds of revision and Para-wise remarks as well as the other documents and material available on the record it is noticed that the revision petitioner is said to have been in possession of Government land and on that the lower primary authority ordered for ejectment and the same was upheld by the appellant authority.

3. The contention of the revision petitioner is that the possession and enjoyment of the property prior to 1959 and there is no prohibitory transaction and further the revenue authorities issued 'D' Form patta and as such the orders of the lower authorities are not sustainable and prays to allow the revision. The said factum needs a fresh enquiry in view of the fact of possession prior to the enactment of the regulations stated to have been supported by the revenue record and as such it is fit case to remand the matter for fresh enquiry by giving an opportunity to the revision Petitioner to prove his case as per law.

4. Considering the above material that in the considered opinion, the orders of the lower authorities cannot be sustained and the matter shall be remanded to the primary authority for enquiry afresh for a decision according to law by issue notices to both the parties.

5. In the result the revision petition is allowed in part by setting aside the orders of the primary and appellant authorities and the matter is remanded to the primary authority for enquiry afresh by giving opportunity to all the parties concerned with a direction to dispose of the matter within a period of six months after receipt of this order as per law independently uninfluenced by the observations made therein above. Pending disposal of the matter, status quo as on today shall be maintained.

(P.T.O)

6. The Collector & District Magistrate, East Godavari District, Kakinada is requested to take necessary action in the matter accordingly and acknowledge the receipt of the case records, which are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KANTILAL DANDE
SECRETARY TO GOVERNMENT

To
The Collector & District Magistrate, East Godavari District, Kakinada (w.e)
The Additional Agent to Govt. cum Project Officer, ITDA, Rampachodavaram, East Godavari District.
The Special Deputy Collector (TW), Rampachodavaram, East Godavari District.
Sri K.N.V. Ramana, Advocate, Addateegala (V&M), East Godavari District.
Sri Sana Satyanarayana, S/o.Suryarao, R/o.Addateegala (V&M), East Godavari District.
Copy to:
The P.S. to Hon'ble Dy. Chief Minister (TW)
The P.S. to Secretary (TW)
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER